

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

Sarvint Technologies, Inc.,
Plaintiff,

v.

Athos Works, Inc. and Mad Apparel,
Inc.

Defendants.

Civil Action File No.
1:15-cv-00068-TCB

Sarvint Technologies, Inc.,
Plaintiff,

v.

Carre Technologies, Inc.,
Defendant.

Civil Action File No.
1:15-cv-00069-TCB

Sarvint Technologies, Inc.,
Plaintiff,

v.

OMSignal, Inc.,
Defendant.

Civil Action File No.
1:15-cv-00070-TCB

<p>Sarvint Technologies, Inc., Plaintiff, v. Ralph Lauren Corporation, Defendant.</p>	<p>Civil Action File No. 1:15-cv-00071-TCB</p>
<p>Sarvint Technologies, Inc., Plaintiff, v. Sensoria, Inc., Defendant.</p>	<p>Civil Action File No. 1:15-cv-00072-TCB</p>
<p>Sarvint Technologies, Inc., Plaintiff, v. Textronics, Inc. and Adidas North America, Inc., Defendants.</p>	<p>Civil Action File No. 1:15-cv-00073-TCB</p>
<p>Sarvint Technologies, Inc., Plaintiff, v. Victoria's Secret Stores, LLC, Defendant.</p>	<p>Civil Action File No. 1:15-cv-00074-TCB</p>

**EMERGENCY MOTION FOR ENLARGEMENT OF TIME
IN WHICH TO FILE A RESPONSE TO PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION**

Pursuant to Local Rule 7.2(B), Defendants Athos Works, Inc. and Mad Apparel, Inc., Carre Technologies, Inc., OMSignal, Inc., Ralph Lauren Corporation, Sensoria, Inc., Textronics, Inc. and Adidas North America, Inc., and Victoria's Secret Stores, LLC, through the undersigned counsel, submit this emergency motion for an extension of time to file a response to Plaintiff's Motion for Preliminary Injunction (Dkt. No. 21). The Defendants' responses to the motion for preliminary injunction are currently due April 27, 2015. Defendants request the Court waive the time requirements of LR 7.1(B) because Plaintiff's opposition to this motion would not be due until after Defendants' opposition time had passed. Thus good cause exists for expedited consideration of this motion

In support of its Motion, Defendants submit that they attempted to reach agreement with counsel for Plaintiff regarding a modest extension of time, but the parties were unable to reach agreement. *See* Exhibit A. On Friday, April 17, 2015 Defendants requested a 21-day extension of the response deadline (until May 18, 2015) to fully evaluate and prepare its response to the Motion for Preliminary Injunction.

Specifically, Defendants explained that they were seeking an extension on the grounds that (1) Defendants are attempting to coordinate their responses on common issues so as to limit the burden on the Court, and this will take additional time; (2) Plaintiffs had been working on the motion for preliminary injunction for weeks (if not months) and Defendants have had a far shorter period to respond to the many assertions of fact and law contained in the motions and related submissions; and (3) Defendants are at this time undecided regarding whether to seek discovery prior to responding, but reserved the right to seek such discovery and thus build in the time to allow for it.

Despite the quickly-approaching deadlines, counsel for Plaintiffs waited three days before responding to Defendant's request for additional time. While Plaintiff's counsel recognized Defendants' concerns, they were willing to agree to only a one-week enlargement of time. *See* Ex. A.

Plaintiff's motion to preliminarily enjoin the business practices of nine parties includes, among other things, various factual assertions and a fifty page declaration from an alleged expert. Given the gravity of the relief Sarvint seeks, Sarvint's own delay in seeking that relief, and the scope of Plaintiff's submission, Defendants' request for three extra weeks to respond to Sarvint's motion is reasonable. Defendants must confer with witnesses, review the numerous of documents cited in

the expert reports (but not attached or provided), and consider the appropriateness of rebuttal expert testimony on specific issues. As noted above, the additional time to respond will also allow Defendants time to coordinate their responses where appropriate, thereby reducing the burden on the Court. Moreover, the requested extension of time will not prejudice Sarvint.

The parties in these cases have freely granted extensions in the past to allow the parties to fully investigate and prepare filings. Defendants do not intend to use this extension of time to delay proceedings. Instead, Defendants seek the extension in order to fully evaluate Plaintiff's motion and supporting documents, and prepare their responses.

Accordingly, Defendants respectfully requests that the Court enter an Order extending the time in which it must respond to Plaintiff's Motion for Preliminary Injunction through and including May 18, 2015.

A proposed order granting this Motion is attached for the Court's convenient reference.

Dated: April 20, 2015

/s/ Noah C. Graubart

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Respectfully submitted,

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Attorneys for Defendant Victoria's
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CERTIFICATE OF SERVICE

I hereby certify that on April 20, 2015, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

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